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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,765	03/01/2002	Hermanus H. Van Der Meijs	0142-0377P-SP	2023

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EXAMINER

PARK, CHAN S

ART UNIT PAPER NUMBER

2625

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/085,765	<b>Applicant(s)</b> VAN DER MEIJS, HERMANUS H.	
	<b>Examiner</b> CHAN S. PARK	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**DOUGLAS Q. TRAN**  
**PRIMARY EXAMINER**

*Traveling*

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

*Chan S. Park*

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment was received on 7/18/06, and has been entered and made of record. Currently, **claims 1-19** are pending.

### ***Response to Arguments***

2. Applicant's arguments, see pages 5-8, filed on 7/18/06, with respect to the rejection(s) of claim(s) 1-11 under 35 U.S.C. § 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Abu-Husein (U.S. Patent No. 7,107,537) and Silverbrook (U.S. Patent No. 6,364,451).

### ***Claim Objections***

The following quotations of 37 § CFR 1.75(d)(1) is the basis of objection:

(d)(1) The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. (See § 1.58(a)).

3. Claim 3 recites the limitation "the functional components". There is insufficient antecedent basis for this limitation in the claim.
4. Claim 4 recites the limitation "the type of recording medium". There is insufficient antecedent basis for this limitation in the claim.
5. Claim 10, line 2, "a printer" should be -- the printer --.
6. Claim 11, line 2, "a printer" should be -- the printer --.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Abu-Husein.

7. With respect to claim 1, Abu-Husein teaches a method of configuring a printer, wherein a set of printing parameters is stored in a control unit of the printer, the method comprising the steps of:

storing the set of printing parameters, which is adapted to a specific functional component of the printer, in a storage device addressable over the Internet at a predetermined URI (col. 5, lines 1-18 & lines 39-51); and

when the printer is to be configured, getting access to said URI, and downloading the set of printing parameters directly into the control unit of the printer (col. 5, lines 1-18 & lines 39-51).

8. With respect to claim 6, Abu-Husein discloses a printer comprising a control unit including a memory in which printing parameters can be stored, wherein the control unit includes an Internet client for connecting to a URI at which the printing parameters are

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stored, and for loading the printing parameters into the memory (col. 5, lines 1-18 & lines 39-51).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Husein as applied to claim 1 above, and further in view of Silverbrook.

9. With respect to claim 2, Abu-Husein teaches the method according to claim 1, wherein it further teaches the method of downloading the printing parameter every time a user changes the settings on the printer (col. 5, lines 15-16). However, it does not explicitly teach that said specific URI is indicated on the functional component in a machine-readable format so as to be read automatically in the printer.

Silverbrook, the same field of the endeavor of the network printer, discloses a barcode indicated on a functional component of a printer for downloading the printing parameter in the network database (col. 11, lines 23-44).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the cartridge barcode of Silverbrook into the network printer of Abu-Husein.

The suggestion/motivation for doing so would have been to update/configure the printing parameters according to the specifications of the newly replaced printhead cartridge.

Therefore, it would have been obvious to combine Abu-Husein with Silverbrook to obtain the invention as specified in claim 2.

10. With respect to claims 3 and 5, read col. 11, lines 23-30 & fig. 11.

Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Husein as applied to claim 1 above, and further in view of Siwinski (U.S. Patent No. 6,938,976).

11. With respect to claim 4, Abu-Husein teaches the method of claim 1, but it does not explicitly teach that the printing parameters comprise data and/or program code for reconfiguring the printer in accordance with a type of recording medium being used.

However, Siwinski discloses wherein the printing parameters comprise data and/or program code for reconfiguring the printer in accordance with the type of recording medium being used (col 11, lines 15-24: processor adjusts printing parameters in relation to accessed information on print head; Table 3 of col. 10 indicates paper property data which can be used by processor to adjust printing parameters).

Abu-Husein and Siwinski are combinable because they are from the same field of endeavor of configuring printers.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Abu-Husein system include reconfiguring the printer according to the recording medium, as taught by Siwinski.

The suggestion or motivation for doing so would have been that Abu-Husein system could adapt ink or toner levels to varying thickness and composition of recording mediums.

Therefore, it would have been obvious to combine the teachings of Siwinski with the system of Abu-Husein to obtain the invention in claim 4.

12. With respect to claim 15, Siwinski discloses that the printer is an inkjet printer (fig. 2).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Husein as applied to claim 6 above, and further in view of Silverbrook.

13. With respect to claims 7-8, arguments analogous to those presented for claims 2, 3 and 5, are applicable.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Husein as applied to claim 6 above, and further in view of Imai U.S. Patent No. 6,990,659.

14. With respect to claim 9, Abu-Husein discloses the printer according to claim 6, wherein the downloading of the parameter includes the downloading of the application for fixing the bugs new versions (col. 6, lines 2-7). However, it does not explicitly

disclose that the Internet client is arranged to initiate a download of new printing parameters each time a predetermined time interval has elapsed.

Imai, the same field of endeavor of the network printer, discloses a network printer for downloading/updating the printing parameter periodically (col. 9, lines 53-66).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the periodic update method of Imai into the network printer of Abu-Husein.

The suggestion/motivation for doing so would have been to update/download the printing parameters more efficiently with less user intervention.

Therefore, it would have been obvious to combine Abu-Husein with Imai to obtain the invention as specified in claim 9.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abu-Husein and Silverbrook as applied to claim 8 above, and further in view of Kurata et al. U.S. Publication No. 2002/0088990 (hereinafter Kurata).

15. With respect to claims 10 and 11, the combination does not explicitly disclose an ink/toner cartridge including a memory element in which a URL is stored in a machine-readable format.

Kurata, the same field of endeavor of the network printer, discloses a memory element of ink cartridge including a URL in a machine-readable format (paragraph 21).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the ink cartridge of Kurata into the printer system of Abu-Husein.



Further, it would have been obvious to implement the same URL cartridge concept into the toner cartridge in case of the laser printer.

The suggestion/motivation for doing so would have been to effectively collect the appropriate information in correspondence to a particular cartridge that has been replaced (paragraph 13).

Therefore, it would have been obvious to combine the three references to obtain the invention as specified in claims 10 and 11.

Claims 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Husein as applied to claims 1 and 6 above, and further in view of Kurata.

16. With respect to claims 12 and 16, Abu-Husein does not explicitly teach that the printer is an inkjet printer. Kurata, the same field of endeavor of the network printer, teaches that the printer having the URL reading capability can be applied to an inkjet printer. At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the system of Abu-Husein into the inkjet printer of Kurata to directly receive appropriate information in correspondence to a particular cartridge from the network.

Claims 13, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abu-Husein and Silverbrook as applied to claim 1 above, and further in view of Kurata.

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17. With respect to claims 13, 14 and 16, arguments analogous to those presented for claim 12, are applicable.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Abu-Husein and Silverbrook as applied to claim 6 above, and further in view of Kurata.

18. With respect to claims 18 and 19, arguments analogous to those presented for claim 16, are applicable.

#### ***Contact Information***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp  
September 18, 2006

Chan S. Park  
Examiner  
Art Unit 2625

*Chan S. Park*

**DOUGLAS Q. TRAN**  
**PRIMARY EXAMINER**

*Douglas Q. Tran*